

DRAFT Minutes of the Regular Meeting of the City Council City of Santa Ana, California



June 15, 2021

CLOSED SESSION MEETING – 5:00 pm

REGULAR OPEN MEETING – 5:45 PM

(Immediately following the Closed Session Meeting)

CITY COUNCIL CHAMBER

22 Civic Center Plaza Santa Ana, CA 92701

Due to Governor Gavin Newsom's [Executive Order](#) and the City Council's [Proclamation of Local Emergency](#), there was no in-person meeting location for the community to attend public meetings.

CALL TO ORDER

ATTENDANCE

Council Members

Phil Bacerra
Johnathan Ryan Hernandez
Jessie Lopez
Nelida Mendoza
Thai Viet Phan
David Penaloza
Vicente Sarmiento

Mayor Pro Tem
Mayor

City Manager
City Attorney
Clerk of the Council

Kristine Ridge
Sonia R. Carvalho
Daisy Gomez

MINUTES: Mayor Sarmiento called the Regular Open Session meeting to order at 5:52 p.m.

Clerk of the Council conducted roll call. All councilmembers were present.

CITY COUNCIL REGULAR OPEN SESSION

PLEDGE OF ALLEGIANCE

Mayor Sarmiento

INVOCATION

Fayaz Nawabi

CEREMONIAL PRESENTATIONS

1. Proclamation presented by Mayor Sarmiento to LGBTQ Center OC recognizing June 2021 as LGBTQ Pride Month.
2. Certificate of Recognition presented by Councilmember Hernandez to Orange County Children's Therapeutic Arts Center, Congratulating the Winners of the Aspiring Musician Challenge 2021.
3. Proclamation presented by Councilmember Phan to OC Justice Fund recognizing June 2021 as Immigrant Heritage Month.

STAFF PRESENTATIONS

4. COVID-19 Update in the Community.

MINUTES: City Manager Kristine Ridge provided a brief COVID-19 update regarding the following;

- Governor Newsom's Executive orders regarding the June 15th reopening.
- New face covering guidance.
- Vaccines availability and outreach

PUBLIC COMMENT – Public comments will be held during the beginning of the meeting for ALL comments on agenda and non-agenda items, except for public hearings. Comments for public hearings will take place after the hearing is opened.

MINUTES: Khloe Rios spoke on Item 6 and requested funds be allocated towards the Transgender community.

Richard F. Garcia spoke regarding issues associated with parking and smoke shops as well as various other topics.

Bulmaro Vicente policy director for CHISPA and spoke regarding the proposed budget and expressed concern with the removal of the handball courts.

Mia Verdin spoke on Item 6 in favor of more funds to youth programs and affordable housing.

Gloria Sanchez spoke on Item 6 and in support of the LGBTQ community.

Rachel Pozos inquired about LGBTQ services available to Transgender people and inquired about LGBTQ data on resources for the Transgender Community.

Cinthya Espinosa co-founder of Alianza Translatix spoke on Item 6 and the need for services towards the Transgender community.

Courtney Calderon spoke regarding the allocation of funds to meet the needs of the Santa Ana residents and various other topics.

Karina Reyes spoke for support of the Transgender community.

Rosa Pizano spoke regarding her property manager, requested assistance in addressing funds to improve community and various other topics.

Guadalupe Rico requested assistance regarding verbal and emotional abuse received from management at housing complex.

Cesar Medina spoke on using fund to build affordable housing for the City.

Maribel Martinez spoke regarding the alleged sexual assault she suffered at the hands of the manager of her housing complex and requested councils assistance.

Angel Ruiz spoke regarding police misconduct, funding for youth programs and various other topics.

Dang Le voiced support for the Community Vietnamese Liaison.

Regina Contreras spoke in opposition to the police budget and in support of budget funds being allocated towards LGBTQ services.

Irma P. Jauregui spoke regarding a massage parlor bordering her neighborhood, the Cypress fire station, and keeping police policies unchanged.

Karen Marx president of Wilshire Square spoke regarding a massage parlor bordering neighborhood, expressed concern with traffic on McFadden, traffic signage and PAAL Facility.

Evangeline Gawronski past president of Wilshire Square expressed concern about massage parlor bordering the neighborhood.

Mary Guzman expressed concern with massage parlor bordering Wilshire Square and appealed to council to ensure the neighborhood remains a safe place.

Hector Bustos expressed concern with the allocation of fund to the police department. Requested youth services be overseen by city departments such as the Parks, Recreation, Community Services Department not the police department.

Clerk of the Council Daisy Gomez reported out on correspondence received.

Valerie resident of Ward 1 expressed support regarding the city budget proposal as it relates to the Community Vietnamese Liaison.

Bao Kim spoke in support of the Community Vietnamese Liaison.

Speaker spoke on Item 6 and in support of the Community Vietnamese Liaison.

Roxzel Soto resident of Ward 3 spoke on Item 6, requested for equitable pandemic recovery, spoke in support of the Community Vietnamese Liaison, and use of funds for youth programs and the LGBTQ community.

Indigo Vu spoke on Item 6 in support of arts and culture fund, Community Vietnamese Liaison, decrease of police funds and increase in community safety funds and universal representation of the community.

Issac Manzo spoke on Item 7, handball court update.

Eric T. spoke on Item 6 and in support of de-funding the police budget and reallocating of funds towards social services.

<u>CONSENT CALENDAR</u>

**RECOMMENDED ACTION: Approve staff recommendations on the following
Consent Calendar Items: 5 through 35.**

5. Excused Absences

Department(s): Clerk of the Council

Recommended Action: Excuse the absent members.

6. Adopt Ordinance No. NS-XXXX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROPRIATING MONIES TO THE SEVERAL OFFICES, AGENCIES, AND DEPARTMENTS OF THE CITY FOR FISCAL YEAR BUDGET PERIOD COMMENCING JULY 1, 2021

First reading at the June 3, 2021 Adjourned Regular City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on June 9, 2021.

Department(s): Finance and Management Services

Recommended Action: Place ordinance on second reading and adopt.

MINUTES: City Manager Kristine Ridge provided a brief presentation and recap of the previous budget meeting.

Council provided direction to staff regarding the following;

The shift of Cannabis Tax funds set-aside for enforcement towards youth services.

The transfer of 1.1 million of the Metro Police Department Divisions funding towards youth services.

Staff will analyze and provide data related to minor traffic infractions.

This consent Item - Amended Ordinance No. NS-3005 was approved.

Moved by Councilmember Phan, seconded by Councilmember Lopez to Approve staff recommendation.

Staff will return to council and provide options to shift Cannabis Tax funds set-aside for enforcement towards youth services either by the allocation of funds or through an amendment in the Cannabis Tax Ordinance.

The transfer of 1.1 million of the Metro Police Department Divisions funding towards youth services.

Staff will analyze and provide data related to minor traffic infractions.

YES: 7 – Penaloza, Phan, Lopez, Bacerra, Hernandez, Mendoza, Sarmiento

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

7. Santa Anita Handball Court Update

Department(s): Parks, Recreation, and Community Services

Recommended Action: Receive and file the Santa Anita Handball Court public input update.

MINUTES: *Councilmember Lopez expressed opposition to the item.*

8. Receive and File Certification of Approval by City Engineer of Final Tract Map 2018-04 (3417 West Fifth Street) (Applicant: David Doung; Owner: Little Saigon, LLC)

Department(s): Public Works Agency

Recommended Action: Receive and file certification of approval by City Engineer of final Tract Map 2018-04.

9. Approve Destruction of Obsolete City Records

Department(s): Clerk of the Council Office, Community Development Agency

Recommended Action: Approve the request for the destruction of obsolete records from Community Development Agency in accordance with the retention schedule outlined in City Council Resolution 2013-014.

10. Approve an Appropriation Adjustment recognizing State of California, Department of Housing and Community Development (HCD) LEAP Grant Funds in the Amount of \$750,000

Department(s): Planning and Building Agency

Recommended Action: Approve an appropriation adjustment recognizing State of California, Department of Housing and Community Development (HCD) LEAP Grant funds in the amount of \$750,000 in the Planning and Building Agency revenue account and appropriate same to expenditure accounts. *(Requires five affirmative votes)*

11. Award a Blanket Order Contract in an Amount Not to Exceed \$500,000 to Golden Bell Products, Inc., for Insecticidal Latex Coating Services for Sewer Manholes (Specification 21-068) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Award a blanket order contract to Golden Bell Products, Inc. for insecticidal latex coating services in an annual amount not to exceed \$100,000, for a total contract amount not to exceed \$500,000, including extensions, for a two-year term beginning June 15, 2021 and expiring June 14, 2023, with provisions for three one-year renewal periods exercisable by the City Manager and City Attorney, subject to non-substantive changes approved by the City Manager and City Attorney.

12. Award a Purchase Order in the Amount of \$125,871 to Fairway Ford Sales, Inc. for Three Ford Police Interceptor Utility Vehicles (Specification No. 21-053) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Fairway Ford Sales, Inc. for three Ford Police Interceptor utility vehicles, in the amount of \$125,871 plus a contingency of \$15,000, for a total amount not to exceed \$140,871, subject to non-substantive changes approved by the City Manager and City Attorney.

13. Award a Purchase Order in the Amount of \$152,051 to Transwest Truck Center, LLC for One Ford Super Duty F550 Valve Truck (Specification No. 21-052) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Transwest Truck Center, LLC for one Ford Super Duty F550 Valve Truck in the amount of \$152,051 plus a contingency of \$10,000, for a total amount not to exceed \$162,051, subject to non-substantive changes approved by the City Manager and City Attorney.

14. Award a Purchase Order in the Amount of \$82,512 to TransWest Truck Center, LLC for One Ford Super Duty F550 Platform Body Truck (Specification No. 21-048) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Transwest Truck Center, LLC for one Ford Super Duty F550 Platform Body Truck in the amount of \$82,512 plus a contingency of \$5,000, for a total amount not to exceed \$87,512, subject to non-substantive changes approved by the City Manager and City Attorney.

15. Award a Purchase Order in the Amount of \$187,790 to Winner Chevrolet Inc., for One Chevrolet Traverse and Four Chevrolet Colorados (Specification No. 21-058) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Winner Chevrolet Inc. for one Chevrolet Traverse and four Chevrolet Colorados in the amount of \$187,790 plus a contingency of \$10,000, for a total amount not to exceed \$197,790, subject to non-substantive changes approved by the City Manager and City Attorney.

16. Award a Purchase Order in the Amount of \$75,379 to Western Truck Exchange for One Ford Super Duty F550 Flatbed Dump Truck (Specification No. 21-049) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Western Truck Exchange for one Ford Super Duty F550 Flatbed Dump Truck in the amount of \$75,379, plus a contingency of \$5,000, for a total amount not to exceed \$80,379, subject to non-substantive changes approved by the City Manager and City Attorney.

17. Award a Purchase Order in the Amount of \$369,476 to Tolar Manufacturing for Bus Benches and Trash Containers (General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Tolar Manufacturing for 159 bus benches and 159 trash containers, for a total amount not to exceed \$369,476, subject to non-substantive changes approved by the

City Manager and City Attorney.

18. Award a Purchase Order in the Amount of \$58,987 to Headlands Associates for HP Support Contract for Servers and Storage Systems (Specification No. 21-051) (Non-General Fund)

Department(s): Information Technology

Recommended Action: Authorize a one-time purchase and payment of purchase order to Headlands Associates for HP Support Contract for Servers and Storage Systems, in the amount of \$58,987, subject to non-substantive changes approved by the City Manager and City Attorney.

19. Approve an Agreement with Community SeniorServ, Inc. dba Meals On Wheels Orange County for the Senior Meals Program in an Amount Not to Exceed \$90,290 for the Period July 1, 2021 to June 30, 2022 (General Fund)

Department(s): Parks, Recreation, and Community Services

Recommended Action: Authorize the City Manager to execute an agreement with Community SeniorServ, Inc. dba Meals On Wheels Orange County for the Senior Meals Program in an amount not to exceed \$90,290 for the period July 1, 2021 to June 30, 2022, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

MINUTES: This consent item - Agreement No. 2021-088 was approved.

20. Approve Agreements with Breeze Creative, Imagine Exhibitions and Spineless Wonders to Provide As-Needed Short-Term Santa Ana Zoo Exhibits for an Annual Aggregate Amount of \$250,000 and a Total Aggregate Amount Not to Exceed \$750,000 for the period June 15, 2021 to December 31, 2023 (General Fund)

Department(s): Parks, Recreation, and Community Services

Recommended Action: Authorize the City Manager to execute agreements with Breeze Creative LLC, Imagine Exhibitions, Inc., and Spineless Wonders to provide as-needed short-term Santa Ana Zoo exhibits for an annual aggregate amount of \$250,000 and a total aggregate amount of \$750,000 from June 15, 2021 to December 31, 2023, to be funded by the Cannabis Public Benefit Fund, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

MINUTES: This consent item - Agreement No. 2021-089 was approved.

21. Approve an Agreement with Governmentjobs.com Inc. (d/b/a "NEOGOV") for Online Onboarding and Performance Evaluation Services (General Fund)

Department(s): Human Resources

Recommended Action: Authorize the City Manager to execute a two-year agreement with NEOGOV for online Onboard and Perform services for the period of July 1, 2021 through June 30, 2023 in the amount of \$85,709.19, with provisions for two (2) one-year renewals, which, if exercised would not exceed a total of \$188,161.47, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

Moved by Mayor Pro Tem Penaloza, seconded by Councilmember Hernandez to Approve.

YES: 7 – Penaloza, Phan, Lopez, Bacerra, Hernandez, Mendoza, Sarmiento

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

22. Approve Agreements With Clariti Cloud, Inc., Avocette Technologies, Inc., and Park Consulting Group, Inc. For Enterprise Land Management System (Non-General Fund)

Department(s): Information Technology

Recommended Action: 1. Authorize the City Manager to execute an Agreement with Clariti Cloud, Inc., for software subscription licensing of a permitting and licensing system for a five-year period beginning July 1, 2021 through June 30, 2026 for \$1,445,476, plus a 20% contingency of \$289,095, for a total not to exceed amount of \$1,734,571, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

2. Authorize the City Manager to execute an Agreement with Avocette Technologies, Inc., for implementation services for a two-year period beginning July 1, 2021 through June 30, 2023 for \$1,171,079, plus a 30% contingency of \$351,324, for a total not to exceed amount of \$1,522,403, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

3. Authorize the City Manager to execute an Agreement with Avocette Technologies, Inc., for managed support services for a three-year period beginning July 1, 2023 through June 30, 2026 for an annual not to exceed amount of \$79,443, which includes a 30% contingency, for a total not to exceed amount of \$317,772 over the life of the agreement, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

4. Authorize the City Manager to execute an Agreement with Park Consulting Group, Inc., for project quality assurance services for a two-year period beginning July 1, 2021 through June 30, 2023 for a total not to exceed amount of \$95,000, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

MINUTES: This consent Item - Agreement No. 2021-091 was approved.

This consent Item - Agreement No. 2021-092 was approved.

This consent Item - Agreement No. 2021-093 was approved.

This consent Item - Agreement No. 2021-094 was approved.

23. Approve an Amendment to the Agreement with EcoNomics, Inc. for Solid Waste Consultant Services to Modify the Scope of Work, Increase the Agreement Capacity in an Amount Not to Exceed \$119,988, and Extend the Term up to Two Years (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an amendment to the agreement with EcoNomics Inc. to extend the agreement for a one-year period to June 30, 2022 with an option for a one-year extension; expand the solid waste consulting services scope of work; increase the total compensation by \$99,990, plus a 20 percent contingency of \$19,998, for a total additional amount not to exceed \$119,988, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

MINUTES: This consent Item - Agreement No. 2021-095 was approved.

24. Approve the Second Amendment to the Agreement with HF&H Consultants, LLC, for Solid Waste Consultant Services to Expand the Scope of Work and Increase the Agreement Capacity by \$120,000 for the Remaining Term of the Agreement (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute the second amendment to the agreement with HF&H Consultants, LLC to expand the solid waste consulting services scope of work and increase the total compensation by \$100,000, plus a 20 percent contingency of \$20,000, for a total additional amount not to exceed \$120,000 for the remaining term of the agreement expiring June 30, 2022, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

MINUTES: This consent Item - Agreement No. 2021-096 was approved.

25. Approve Agreement with All City Management Services, Inc. for the School Crossing Guard Program for up to a Five-year Term in an Amount not to Exceed \$6,870,353

(General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an agreement with All City Management Services, Inc. to provide a school crossing guard program, in the amount of \$6,245,775, with a 10 percent contingency of \$624,578, for a total amount not to exceed \$6,870,353 for a three-year term beginning July 1, 2021 and expiring June 30, 2024, with an option for two, one-year extensions, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

Moved by Mayor Pro Tem Penaloza, seconded by Councilmember Bacerra to Continue item to the July 6th or July 20th City Council meeting.

YES: 7 – Penaloza, Phan, Lopez, Bacerra, Hernandez, Mendoza, Sarmiento

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

26. Approve Agreements with Ocean Blue Environmental Services, Inc. and United Storm Water, Inc. for Spill Response, Hazardous Waste Disposal, and Storm Drain Facility Maintenance Services for up to a Five-year Term in an Amount not to Exceed \$1,750,000 per Agreement (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute agreements with Ocean Blue Environmental Services, Inc. and United Storm Water, Inc. to provide spill response, hazardous waste disposal, and storm drain facility maintenance services in the annual amount of \$350,000 for each agreement, for a total amount not to exceed \$1,750,000 per agreement, for a three-year term beginning June 15, 2021 through June 14, 2024, with provisions for one two-year extension, subject to non-substantive changes approved by the City Manager and City Attorney. (Agreement No. 2021-XXX)

MINUTES: This consent Item - Agreement No. 2021-097 was approved.

27. Approve a Maintenance Agreement with the Mesa Water District for Maintenance and Repair of a Drainage Pipeline in the City of Santa Ana Right-of Way for the Lifetime of Mesa Water District Croddy Well 14

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a no-cost agreement with the Mesa Water District for the maintenance and repair of a Mesa Water District-owned water conveyance pipeline located within the City of Santa Ana right-of-way,

beginning upon execution of the agreement and continuing through the lifetime of Mesa Water District Croddy Well 14, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

MINUTES: Councilmember Phan recused herself from Item 27, due to a conflict of interest.

This consent Item - Agreement No. 2021-098 was approved.

28. Approve an Agreement with County of Orange for a Parking Lease at the 420 N Main Street Parking Structure

Department(s): Community Development Agency

Recommended Action: Authorize the City Manager to execute an agreement with the County of Orange to lease 40 parking spaces at the City-owned parking structure at 420 N Main Street, for a five-year term from August 1, 2021 to July 31, 2026, with an option to extend for an additional five-year term, in the amount payable to the City's designated parking operator in the amount of \$2,000 per month, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

MINUTES: ***This consent Item - Agreement No. 2021-099 was approved.***

29. Approve Amendments to the Loan Agreements for the Santa Ana Arts Collective; Approve Subordination Agreements for the Amended Loans; Adopt a Resolution for SCAG's Go Human Program; and Approve Appropriation Adjustment.

Department(s): Community Development Agency

Recommended Action: 1. Authorize the City Manager to execute a Third Amendment to the First Amended and Restated CDBG and Inclusionary Housing Funds Loan Agreements for the Santa Ana Arts Collective, to address a change in affordability levels, and a modification to the residual receipt split in recognition of a loan from the California Housing Finance Agency, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

2. Authorize the City Manager to execute a Second Amendment to the HOME Loan Agreement for the Santa Ana Arts Collective, to address a change in affordability levels and a modification to the residual receipt split in recognition of a loan from the California Housing Finance Agency, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

3. Authorize the City Manager to execute a future Subordination Agreement with the State of California Department of Housing and Community Development (HCD) for the Affordable Housing and Sustainability Communities (AHSC) loan agreement, subject to approval as to form by the City Attorney (Agreement No. 2021-XXX).

4. Resolution No. 2021-XXX – Adopt a Resolution authorizing the City Manager to enter into an agreement with the State of California Department of Housing and Community Development (HCD) for Affordable Housing and Sustainability Communities (AHSC) program grant funding for management and disbursement of a \$22,500 funding contribution to the Southern California Association of Government's (SCAG) Go Human program (Agreement No. 2021-XXX).

5. Approve an appropriation adjustment for FY 21-22, recognizing funds from the State of California Department of Housing and Community Development (HCD) for Affordable Housing and Sustainability Communities (AHSC) program in the amount of \$22,500 in revenue account and appropriating the same amount to the Payment to Other Agencies expenditure account. *(Requires five affirmative votes)*

MINUTES: This consent Item - Agreement No. 2021-100 was approved.

This consent Item - Agreement No. 2021-101 was approved.

This consent Item - Agreement No. 2021-102 was approved.

This consent Item - Resolution No. 2021-034 was approved.

This consent Item - Agreement No. 2021-103 was approved.

30. Approve an Amendment to an Agreement with City Net to Provide Street Outreach and Engagement Services in an Increased Amount of \$230,000 for a Total Grant Agreement not to Exceed \$968,390 (General Fund)

Department(s): Community Development Agency

Recommended Action: Authorize the City Manager to execute an amendment to extend the agreement with City Net and to increase the contract by \$230,000, for a total contract amount not to exceed \$968,390 to provide street outreach and engagement services through October 31, 2021, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

MINUTES: This consent Item - Agreement No. 2021-104 was approved.

31. Approve a Future Agreement with Salvation Army to Operate the Hospitality House for Individuals Experiencing Homeless in Santa Ana until the Time that the Carnegie Shelter is Operational (Grant Funded)

Department(s): Community Development Agency

Recommended Action: Direct the City Attorney to finalize and authorize the City Manager to execute a future Agreement with Salvation Army to operate a temporary

75-bed homeless shelter at 818 E Third Street in Santa Ana, in the amount of \$390,000 for an anticipated 90-day period, subject to extension, for a total amount not-to exceed \$780,000 from June 28, 2021 through December 28, 2021, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

Moved by Councilmember Mendoza, seconded by Councilmember Phan to Approve.

YES: 6 – Phan, Lopez, Bacerra, Hernandez, Mendoza, Sarmiento

NO: 1 – Penaloza

ABSTAIN: 0

ABSENT: 0

Status: 6 – 1 – 0 – 0 – **Pass**

MINUTES: This consent Item - Agreement No. 2021-105 was approved.

32. Proposed Parks, Recreation and Community Services Commission By-Law Amendments

Department(s): Parks, Recreation, and Community Services

Recommended Action: Resolution No. 2021-XXX – Adopt a resolution amending the Parks, Recreation and Community Services Commission bylaws.

MINUTES: This consent Item - Resolution No. 2021-035 was approved.

33. Proposed Youth Commission Bylaw Amendments

Department(s): Parks, Recreation, and Community Services

Recommended Action: Resolution No. 2021-XXX – Adopt a resolution amending the Youth Commission bylaws.

MINUTES: This consent Item - Resolution No. 2021-036 was approved.

34. Adopt a Resolution Establishing the Appropriations Limit of the City of Santa Ana for Fiscal Year 2021-22

Department(s): Finance and Management Services

Recommended Action: Resolution No. 2021-XXX – Adopt a resolution establishing the appropriations limit of the City of Santa Ana for FY 2021-22, as required by state law.

MINUTES: This consent item - Resolution No. 2021-037 was approved.

35. Approve Renewal of Joint Powers Authority Agreement between the City of Santa Ana and Independent Cities Risk Management Authority (ICRMA) and Approve Associated Insurance Premiums and Corresponding Agreement for an Amount not to Exceed \$8,000,000 and Approve Appropriation Adjustment of \$1,500,000 (Non-General Fund)

Department(s): Human Resources

Recommended Action: 1. Authorize the City Manager to approve the agreement between the City of Santa Ana and Arthur J. Gallagher, broker of record, from July 1, 2021 to June 30, 2022 for insurance brokerage services, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2021-XXX).

2. Authorize the City Manager to approve payment of insurance premiums to Independent Cities Risk Management Authority (ICRMA) for excess liability and workers' compensation for protection of City's assets.

a. Approve the City's continued participation in ICRMA's Excess Liability Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$3,936,181.

b. Approve the City's continued participation in ICRMA's Excess Workers' Compensation Program from July 1, 2021 to June 30, 2022, at estimated premium, fees, and taxes not to exceed \$362,219.

c. Approve the City's continued participation in the ICRMA's Auto Physical Damage Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$119,215.

d. Approve the City's continued participation in the ICRMA's Property and Equipment Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$484,653.

e. Approve the City's continued participation in ICRMA's Crime Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$15,456.

f. Approve the City's continued participation in ICRMA's Cyber Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$70,314.

3. Authorize the City Manager to approve payment of insurance premiums to Arthur J. Gallagher, Broker, for coverages of City's assets.

a. Approve the City's General Liability Buffer Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$962,000;

b. Approve the City's Workers' Compensation Buffer Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$240,118;

c. Approve the City's Earth Movement & Flood and Difference in Coverage Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$985,856;

d. Approve the City's Terrorism Insurance Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$12,330; and

e. Approve the City's Underground Storage Tank Program from July 1, 2021 to June 30, 2022 at estimated premium, fees, and taxes not to exceed \$10,157.

4. Approve the City's obligation to pay the State of California Department of Industrial Relations (DIR) fee for the Workers' Compensation Program from July 1, 2021 to June 30, 2022, at an estimated assessment not to exceed \$365,000.

5. Authorize an appropriations adjustment to add an amount not to exceed \$1,500,000 to account Insurance Payment for increased expenditures to insurance premiums above the currently proposed budget. *(Requires five affirmative votes)*

MINUTES: This consent Item - Agreement No. 2021-106 was approved.

Moved by Mayor Pro Tem Penaloza, seconded by Councilmember Bacerra to Approve Consent Calendar items 5 – 35 with the exception of 6, 21, 25, 31. Councilmember Phan abstained from Item 27 due to a conflict of interest.

YES: 6 – Penaloza, Phan, Lopez, Bacerra, Hernandez, Sarmiento

NO: 0

ABSTAIN: 0

ABSENT: 1 – Mendoza

Status: 6 – 0 – 0 – 1 – **Pass**

****END OF CONSENT CALENDAR****

<u>BUSINESS CALENDAR</u>

36. Ordinance Repealing and Reenacting the Santa Ana Municipal Code Chapter 33, Section 54 Establishing the Preservation of Newly Constructed and Reconstructed Arterial Streets, Local Streets, and Alleys

Department(s): Public Works Agency

Recommended Action: Approve the first reading of an ordinance repealing and reenacting the Santa Ana Municipal Code Chapter 33, Section 54 establishing the preservation of newly constructed and reconstructed arterial streets, local streets and alleys.

Moved by Councilmember Bacerra, seconded by Councilmember Mendoza to Approve.

YES: 7 – Penaloza, Phan, Lopez, Bacerra, Hernandez, Mendoza, Sarmiento

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

****END OF BUSINESS CALENDAR****

PUBLIC HEARINGS

PUBLIC COMMENTS – Members of the public may address the City Council on Public Hearing items.

37. Public Hearing - Adoption of an Ordinance Approving ZOA No. 2021-01 Amending Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code (SAMC) to Require a Conditional Use Permit (CUP) for Light Processing Facilities in the Light Industrial (M-1) Zoning District

Published in the Orange County Reporter on June 4, 2021.

Department(s): Planning and Building Agency

Recommended Action: Adopt an ordinance approving ZOA No. 2021-01 to amend Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code (SAMC) requiring a conditional use permit (CUP) for Light Processing Facilities in the Light Industrial (M-1) zoning district.

MINUTES: Chair Sarmiento opened the public hearing at 9:48 p.m.

Clerk of the Council, Daisy Gomez, reported out on correspondence received.

Chair Sarmiento closed the public hearing at 9:51 p.m.

Moved by Councilmember Bacerra, seconded by Councilmember Phan to Approve.

YES: 7 – Penaloza, Mayor Pro Tem, – Phan, Councilmember, – Lopez, Councilmember, – Bacerra, Councilmember, – Hernandez, Councilmember, – Mendoza, Councilmember, – Sarmiento, Mayor

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

CITY MANAGER COMMENTS

MINUTES: City Manager Kristine Ridge noted that illegal fireworks and abandoned vehicles can now be reported using mySantaAna app. Also, noted that Santa Ana Water placed second for best in the nation

COUNCIL COMMENTS

AB1234 DISCLOSURE – If the City paid for travel or other expenses this is the time for members of the Council to provide a brief oral report on attendance of any regional board or commission meeting or any conference, meeting or event attended.

MINUTES: *Councilmember Bacerra wished everyone a Happy Independence Day, thanked Santa Ana Unified School District for their invitation to several graduation ceremonies. Thanked everyone who participated in his monthly community office hours and announced the upcoming July 17th office hours at Thorton Park and provided various other comments.*

Councilmember Hernandez shared the poem, “Still I Rise” by Maya Angelou in celebration of Juneteenth.

Councilmember Lopez wished her mother a Happy Birthday, shared Movies in the park will begin again. Wished all fathers Happy Father’s Day, and inquired about the new telecommute policy and police oversight.

Councilmember Mendoza, reminded the public to continue to take precautions and to be vigilant in regards to COVID-19.

Councilmember Phan thanked Councilmember Hernandez for reading Maya Angelou’s poem, announced that the Metropolitan Water District selected a new general manager, Adel Hagekhail. Implored residents to stop buying bottled water, and wished everyone Happy Independence Day.

Mayor Pro Tem Penaloza announced that he in partnership with the City, will be hosting a neighborhood clean up and dumpster day at two parks in the City. Yale Navigation Center is hosting a virtual information session in partnership with the Orange County Healthcare Agency and finally wished everyone a Happy Father’s Day.

Mayor Sarmiento wished all Santa Ana graduates congratulations, requested staff look into providing resources to the transgender community. Spoke regarding the increase in requests for speed bumps throughout the City and lastly thanked the public for participating in the City Council Meeting.

ADJOURNMENT – Adjourn the City Council meeting.

MINUTES: *Mayor Sarmiento adjourned the City Council meeting at 10:18 p.m.*